

Remarks

Reconsideration and further examination is respectfully requested. Claims 1-15 were originally presented for examination. Claims 12-15 were withdrawn from consideration.

In brief, the present invention is directed to a system and method for presenting multiple media streams of varying types to viewers in conjunction with a television program. The media streams may comprise audio, video, or other information including text, HTML, XML, or other information and executable code. Media streams may be converted to correspond to a transmission format. An omnimenu describes the stream content. Media content and the omnimenu are combined into a broadcast stream and transmitted to a plurality of receiving units. A framework definition describes all the content in an omnimedia package. Receiving units may check system capabilities to determine which content can be rendered. As such, the broadcast stream comprises a range of content simultaneously broadcast to a plurality of receivers that vary in capability and that can determine which content may be rendered.

Claim Rejections

Claim 1 was rejected by the Examiner under 35 U.S.C. 102(e) as being anticipated by Heuer et al. (Proc. Second Int'l Symposium on Mobile Multimedia & Applications, Delft, November 9-10, 2000 pp. 6-13)

In brief, The M3-Box of Heuer et al provides messaging between devices of varying capability. A telephone, mobile phone, PDA, videophone, pictophone, workstation, PC or HPC are depicted as sources of messages. The M3 box is employed to convert the message from a source format type to a receiver format, depending on the type of receiver. The M-3 box provides user-to-server communications and does not broadcast messages simultaneously to a plurality of receivers.

The rejection of claims 1-11 under 35 U.S.C. 102 as being anticipated by Heuer is improper because Heuer does not teach or suggest all the claim elements. Nowhere does Heuer teach or suggest “transmitting said menu to said plurality of receivers that are capable of checking said stream type to determine which streams may be used by said receivers” as recited in claim 1. Heuer transmits the menu to individual receivers. Nowhere does Heuer teach “transmitting said menu to said plurality of receivers that are capable of checking said stream type to determine which streams may be used by said receivers” as recited in claim 1.

The Examiner has asserted that the claim element of “transmitting said menu to said plurality of receivers that are capable of checking said stream type to determine which streams may be used by said receivers” is disclosed by Heuer in section 4.3 where a handshake is used to inform the M-3 box of the format required by the receiver. Applicant respectfully disagrees. The receiver of Heuer does not check stream type, but issues a handshake requesting a specific format. Nowhere is “checking” performed. The action of a handshake is not consistent with, or a teaching of, checking a received stream type.

Claims 2-5, and 9 depend from claim 1 and distinguish from the cited art for the above reasons.

The rejection of claim 6 is improper because Heuer does not teach or suggest all the claim elements. The Examiner cites section 3 of Heuer as disclosing the storing of preloaded metadata. However the cited section teaches the storing of metadata in a server, and does not teach storing of metadata in a receiver as recited in claim 6 which includes the element “storing said preloaded metadata in said receiver”. Further, Heuer does not teach or suggest “transferring preloaded metadata associated with said broadcast stream to a receiver that is capable of checking stream type to determine which streams may be used by said receiver prior to transmission of said broadcast stream” as recited in claim 6.

With regard to claim 7, the Examiner refers to the rejection of claim 1 and notes that the audio, video, and metadata are what comprise the omnimedia package. Claim 1 distinguishes from the cited art for the aforementioned reasons and because Heuer does

not teach or suggest “a framework definition module that interfaces with said framework controller and defines all content to be used in said omnimedia package, said content comprising various stream types for transmission to a plurality of receivers that are capable of checking said various stream types to determine which streams of said various stream types may be used by said receivers” as recited in claim 7.

With regard to claim 8, the recited element of “a receiver that receives said an omnimedia package and that is capable of checking said various stream types to determine which streams of said various stream types may be used by said receiver and that renders selected streams of said various streams, said receiver further coupled to at least one user input device that provides interactivity between said viewer and said receiver” is not taught or suggested by Heuer.

With regard to claim 9, claim 9 depends from claim 1 and distinguishes from Heuer for the aforementioned reasons. In addition, the present invention is directed to providing various media streams in a broadcast that is necessarily a dynamic event and may in part be a real-time or live event. In contrast, Heuer provides messages upon request to individual receivers. Although XML may be capable of providing synchronization, Heuer provides no teaching or suggestion of synchronization. Heuer did not recognize the problem of synchronization in a dynamic environment and does not teach or suggest “synchronizing at least one metadata stream type with an event” as recited in claim 9.

With regard to claim 10, Heuer does not broadcast a stream containing various stream types to a plurality of receivers. The assertion that a handshake corresponds to a receiver that is capable of “comparing said stream types contained in said omnimedia package with receiving unit capabilities” as recited in claim 10 is not supported by any evidence on the record.

Claim 11 depends from claim 10 and distinguishes from the cited art for the aforementioned reasons.

Conclusion

The methods of the cited reference (Heuer) are directed to messaging which comprises single user-to-server communication. The present invention is directed to broadcast to a plurality of receivers of an omnimedia package, the receivers being capable of determining which streams of the package may be used. Claim 6 has been amended to further clarify that preloaded metadata is stored in a receiver. Claim 7 has been amended to further clarify that the omnimedia package is transmitted to a plurality of receivers.

In view of the above amendments, this application is now considered to be in condition for allowance and such action as earnestly solicited.

Dated this 5th day of November, 2003.

Respectfully submitted,



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